

REMARKS/ARGUMENTS

The Examiners are thanked for the courteous and helpful telephone interview granted Applicants' representative on June 5, 2007. During the interview, an amended claim 1 was proposed and discussed. The Examiners advised that if the proposed claim was further amended to incorporate the subject matter of dependent claims 6 and 7, the claim would distinguish over the cited art and appeared to be allowable subject to an updating search. The Examiners also advised that the amended claim should be presented in an RCE application so that it could be fully considered. Amended claim 1 presented herein incorporates the amendments proposed during the interview as well as the subject matter of dependent claims 6 and 7 as suggested by the Examiners, and is believed to be allowable in its present form.

Claims 1, 4 and 8-10 are pending in the present application. Claims 1 and 8-10 have been amended; and claims 2, 3, 5-7 and 11-20 have been canceled. No claims have been added. This application is believed to be in condition for allowance, and reconsideration is respectfully requested in view of the following comments.

I. 35 U.S.C. § 101

The Examiner has rejected claim 20 under 35 U.S.C. § 101 as being directed to non-statutory subject matter.

Claim 20 has now been canceled. The rejection, accordingly, is now moot.

II. 35 U.S.C. § 103, Obviousness (claims 1, 4, 7, 9, 12, 15 and 18-20)

The Examiner has rejected claims 1, 4, 7, 9, 12, 15 and 18-20 under 35 U.S.C. § 103(a) as being unpatentable over Cool et al., U.S. Patent Publication No. 2004/0010786 (hereinafter "Cool") in view of White, U.S. Patent Publication No. 2003/0014447.

As indicated above, by the present Preliminary Amendment, claim 1 has been amended to clearly distinguish over the cited art, and should be allowable in its present form. Claims 4 and 9 depend from and further restrict claim 1 and are also allowable, at least by virtue of their dependency. Claims 7, 12, 15 and 18-20 have been canceled.

Therefore, the rejection of claims 1, 4, 7, 9, 12, 15 and 18-20 under 35 U.S.C. § 103(a) has been overcome

III. 35 U.S.C. § 103, Obviousness (claims 2 and 5)

The Examiner has rejected claims 2 and 5 under 35 U.S.C. § 103(a) as being unpatentable over Cool in view of White as applied to claim 1 above, and further in view of Greene et al., U.S. Patent Publication. No. 2002/0198734 (hereinafter “Greene”).

Claims 2 and 5 have been canceled. Therefore, the rejection of claims 2 and 5 under 35 U.S.C. § 103(a) has been overcome.

IV. 35 U.S.C. § 103, Obviousness (claim 3)

The Examiner has rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Cool in view of White as applied to claim 1 above, and further in view of Warrington, U.S. Patent Publication No. 2002/0083097.

Claim 3 has been canceled. Therefore, the rejection of claim 3 under 35 U.S.C. § 103(a) has been overcome.

V. 35 U.S.C. § 103, Obviousness (claims 6 and 11)

The Examiner has rejected claims 6 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Cool in view of White as applied to claim 1 above, and further in view of Parikh, U.S. Patent Publication No. 2004/0205162.

Claims 6 and 11 have been canceled. Therefore, the rejection of claims 6 and 11 under 35 U.S.C. § 103(a) has been overcome.

VI. 35 U.S.C. § 103, Obviousness (claim 8)

The Examiner has rejected claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Cool in view of White as applied to claim 1 above, and further in view of Teloh et al., U.S. Patent Publication No. 2003/0028521 (hereinafter “Teloh”).

Claim 8 depends from and further restricts amended claim 1. Teloh does not supply the deficiencies in the principal references as described above, and claim 8 is allowable in its present form, at least by virtue of its dependency.

Therefore, the rejection of claim 8 under 35 U.S.C. § 103(a) has been overcome.

VII. 35 U.S.C. § 103, Obviousness (claim 10)

The Examiner has rejected claim 10 under 35 U.S.C. § 103(a) as being unpatentable over Cool in view of White as applied to claim 1 above, and further in view of Frazer et al., U.S. Patent Publication No. 2005/0055595 (hereinafter “Frazer”).

Claim 10 depends from and further restricts amended claim 1. Frazer does not supply the deficiencies in the principal references as described above, and claim 10 patentably distinguishes over the cited art, at least by virtue of its dependency.

Therefore, the rejection of claim 10 under 35 U.S.C. § 103(a) has been overcome.

VIII. 35 U.S.C. § 103, Obviousness (claims 13 and 16)

The Examiner has rejected claims 13 and 16 under 35 U.S.C. § 103(a) as being unpatentable over Cool in view of White as applied to claim 12 above, and further in view of Greene.

Claims 13 and 16 have been canceled. Therefore, the rejection of claims 13 and 16 under 35 U.S.C. § 103(a) has been overcome.

IX. 35 U.S.C. § 103, Obviousness (claim 14)

The Examiner has rejected claim 14 under 35 U.S.C. § 103(a) as being unpatentable over Cool in view of White as applied to claim 12 above, and further in view of Warrington.

Claim 14 has been canceled. Therefore, the rejection of claim 14 under 35 U.S.C. § 103(a) has been overcome.

X. 35 U.S.C. § 103, Obviousness (claim 17)

The Examiner has rejected claim 17 under 35 U.S.C. § 103(a) as being unpatentable over Cool in view of White as applied to claim 12 above, and further in view of Parikh.

Claim 17 has been canceled. Therefore, the rejection of claim 17 under 35 U.S.C. § 103(a) has been overcome.

XI. Conclusion

This application is now believed to be in condition for allowance, and it is respectfully requested that the Examiner so find and issue a Notice of Allowance.

Applicants have amended claims 1 and 8-10 and canceled claims 2, 3, 5-7 and 11-20 from further consideration in this application. Applicants are not conceding in this application that those claims are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of subject matter that the Examiner indicated appeared to be allowable. Applicants respectfully reserve the right to pursue these and other claims in one or more continuations and/or divisional patent applications.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: June 8, 2007

Respectfully submitted,

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